

UTAH RECREATIONAL LAND EXCHANGE ACT OF 2005

SEPTEMBER 6, 2006.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 2069]

The Committee on Resources, to whom was referred the bill (H.R. 2069) to authorize the exchange of certain land in Grand and Uintah Counties, Utah, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 2069 is to authorize the exchange of certain land in Grand and Uintah Counties, Utah, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

This legislation would direct the exchange of Bureau of Land Management (BLM) lands for Utah state school trust lands in Grand and Uintah Counties, Utah. The state school trust lands to be conveyed into federal ownership are located in areas with high recreational and scenic values, including the Colorado River corridor, Nine Mile Canyon, and the Dinosaur National Monument area. In return, Utah's school trust will receive less-sensitive BLM lands in the Uintah Basin and Moab-Green River areas that can be managed for the financial support of Utah's public schools and for community economic development. The exchange would involve the conveyance of approximately 45,832 acres of State lands and minerals to BLM in exchange for approximately 40,511 acres of federal lands and minerals. State lands that would be conveyed to BLM include lands in the Westwater Canyon of the Colorado River, portions of the Kokopelli and Slickrock bike trails, the mineral estate underlying Fisher Towers, the upper portion of Castle Valley, Corona Arch, Morning Glory Arch, lands at the Sand Wash rafting

put-in on the Green River, and lands adjacent to Dinosaur National Monument.

The intent of the legislation is to place valuable recreation lands into public ownership while also benefitting public school funding in Utah. The exchange will also continue the process of consolidating State and federal ownership patterns in Utah.

The proposed legislation requires the use of independent third-party appraisals to establish equal valuation, and provides for review and input from the Department of the Interior's new appraisal directorate.

This bill will require an amendment when it is considered by the full House of Representatives. At the time of the Committee's markup, maps coinciding with needed changes to the bill had not been completed. The amendment will include the correct maps references as well as several changes negotiated by the Resources Committee majority and minority staff and the Department of the Interior.

COMMITTEE ACTION

H.R. 2069 was introduced on May 4, 2005, by Congressman Chris Cannon (R-UT). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forest and Forest Health. On September 27, 2005, the Subcommittee held a hearing on the bill. On June 21, 2006, the Full Resources Committee met to consider the bill. The Subcommittee was discharged from further consideration of the bill by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, clause 3, and Article IV, section 3, clause 2 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. The Committee believes that enactment of this bill would have little, if any, effect on the federal budget. The value of the lands which are to be exchanged are to be approximately equal under the terms of the conveyance under the bill. The BLM will save some administrative costs by consolidating its federal land holdings within the State of Utah. The federal land affected by the conveyance are not currently generating significant receipts to the federal government. Any receipts from these federal lands (most likely from grazing or mining) will transfer to the Utah School and Institutional Trust Lands Administration and the State

of Utah. However, under current law, half of all mining receipts from federal lands are already transferred to the State in which the mining occurs. Existing federal mining rights remain valid under the conveyance, but no new mining can occur on the federal land conveyed to the State under the bill. Existing grazing is specifically permitted to remain for the term of the grazing lease, contract or permit. The State lands to be conveyed under the bill do not currently generate significant receipts but any income from these transferred lands would flow to the federal treasury in accordance with existing law.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objective. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of the Congressional Budget Office.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

